

Appln. Serial No. 09/941,424
Attorney's Docket No. 42390P11870
Response to Final Office Action mailed November 1, 2006

REMARKS

Claims 1-18 remain pending in the application, with claims 1, 7 and 13 being the independent claims. Independent claims 1, 7 and 13 are sought to be amended. Entry and consideration of this Amendment is respectfully requested. No new matter is believed to have been introduced by this Amendment.

Applicant has made the above Amendment to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections.

Rejections under 35 U.S.C. § 103(a)

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,758,257 (hereinafter referred to as "Herz") and further in view of U.S. Patent No. 5,801,747 (hereinafter referred to as "Bedard"). Applicant respectfully traverses this rejection for at least the following reason.

Independent claims 1, 7 and 13 each include a similar feature of sorting the remaining one or more vectors in order of the vector with the highest reference count and lowest standard deviation to the vector with the lowest reference count and the highest standard deviation and determining top n vectors from the sorted one or more vectors to become part of a personal profile for the customer. Herz and Bedard, either taken alone or in combination, do not teach or suggest this claimed feature. For at least this reason, independent claims 1, 7 and 13 and their respective dependent claims 2-6, 8-12, and 14-18 are distinguishable from Herz

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and Bedard, either taken alone or in combination. Accordingly, Applicant respectfully requests that the rejection to these claims under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

INVITATION FOR A TELEPHONE INTERVIEW

The Examiner is invited to call the undersigned, Molly A. McCall, at (703) 633-0931 if there remains any issue with allowance of the case.

CONCLUSION

Applicant respectfully submits that all of the stated grounds of rejection have been properly traversed accommodated or rendered moot. Thus, Applicant believes that the present application is in condition for allowance, and as such, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections, and allowance of this application.

Respectfully submitted,

Dated: November 14, 2006

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